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Second special report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1417 (2002) of 14 June 2002, by which the Council decided to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) until 30 June 2003, and Council resolution 1468 (2003) of 20 March 2003, by which the Council, inter alia, expressed its support to the broad orientations on the role of MONUC in support of the peace process set out in paragraph 59 of my report of 21 February 2003 (S/2003/211), and expressed its intention to consider my recommendations in this regard. This report also covers major developments since my last report, until 14 May 2003.

II. Political and military developments

The Final Act of the inter-Congolese political negotiations

2. On 2 April 2003 in Sun City, South Africa, the participants in the inter-Congolese dialogue signed the Final Act of the inter-Congolese political negotiations that had started in October 2001, by which they formally endorsed a package of agreements that constitute a comprehensive programme for the restoration of peace and national sovereignty during a transition period of two years. The agreements comprise the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, signed on 17 December 2002 in Pretoria, the Transitional Constitution, the memorandum on military and security issues of 6 March 2003, and the 36 resolutions adopted by the inter-Congolese dialogue in Sun City in March and April 2002. The signing of the Final Act marks a new and important chapter in the process of national reconciliation and peace in the Democratic Republic of the Congo and indeed in the history of the African continent.

Latest developments

3. Since the signing of the Final Act, the Congolese parties have taken a number of important first steps towards the establishment of the Transitional Government.

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After promulgating the Transitional Constitution on 4 April, Joseph Kabila was formally sworn in as President for the transitional period on 7 April. This was followed by the promulgation of a decree granting amnesty for *faits de guerre* and *infractions politiques et d'opinion*, and the abolition of the Cour d'ordre militaire that had been widely criticized for disregarding basic international standards.

4. On 14 April, President Kabila convened in Kinshasa the first meeting of the Follow-up Commission (Commission de Suivi) whose purpose is to prepare for the installation of the new institutions. All of the members of the Commission attended except the Rassemblement congolais pour la démocratie-Goma (RCD-Goma), which did not participate because of concerns about its security in Kinshasa, and the political opposition, which had still not settled on its representatives. After extensive discussions in Goma on 19 April, my Special Representative, Amos Namanga Ngongi, developed a package of confidence-building measures — including MONUC air transport and the deployment of MONUC troops within a limited security zone in Kinshasa — which made possible the travel to Kinshasa of the RCD-Goma delegation on 27 April. Upon his arrival in Kinshasa, the Secretary-General of RCD-Goma publicly announced the end of the war and the lifting of restrictions on the free movement of goods and people throughout the territory of the Democratic Republic of the Congo.

5. The second meeting of the Follow-up Commission on 29 April was attended by its full membership. Two subcommittees were established, namely, the Committee on Political and Security Affairs, chaired by the Secretary-General of RCD-Goma, and the Committee on Logistics, chaired by the Secretary-General of the Mouvement pour la libération du Congo (MLC). During its third meeting, on 3 May, the Commission set 23 May as the date for the swearing-in of the Vice-Presidents, 28 May for the instalment of the Transitional Government, and 10 June for the inauguration of the Senate and the National Assembly.

6. The meeting of Chiefs of Staff also reconvened on 3 May, with a view to concluding the discussions begun in Pretoria on the structure of and distribution of posts within the High Command of the integrated Congolese army. According to the timetable adopted by the Follow-up Commission, the integrated High Command of the new army is to be established by mid-May. Despite the negotiations that have continued daily, the parties have not been able to make progress on this issue, however, as they continue to insist on the previous positions. It is expected that the Follow-up Commission will set a new deadline for the conclusion of the talks.

7. On 10 April, my Special Representative convened the first meeting of the International Committee in Support of the Transition in Kinshasa, which has since held regular meetings. The Committee comprises diplomatic representatives of the permanent members of the Security Council as well as the Troika of the African Union (Mozambique, South Africa and Zambia), Angola, Belgium, Canada, Gabon, the African Union and the European Union. The Committee met President Kabila on 17 April, with a view to establishing close relations with the Follow-up Commission. All parties agreed that the Congolese actors involved in the Transitional Government should own and drive the peace process, the Committee providing assistance and support.

8. Despite political progress at the national level, hostilities continued in the east, in particular between Lendu-based and Hema-based militias in Ituri, and between

RCD-Goma, Mai-Mai and other armed groups in the Kivus. These hostilities have been marked by widespread and gross violations of human rights.

Situation in Ituri

9. MONUC multidisciplinary special investigation teams have confirmed that massacres of both Lendu and Hema have been perpetrated in Ituri since February 2003. From 17 January to 6 March, in an attempt to take over full control of the Ituri region, a militia group known as the Union of Congolese Patriots (UPC) engaged in large-scale military operations in four localities, resulting in killings, destruction of property and the displacement of a large number of people. Eyewitnesses stated that around 330 civilians were killed in Bogoro, which was completely destroyed, and reported 160 additional deaths in Mandro. In Drodro, there were killings on a scale hitherto unknown in the area, hundreds of civilians being murdered in a series of well-coordinated summary executions near the parish and 16 neighbouring locations. Twenty mass graves have been identified by MONUC. MONUC, together with forensic experts from the Office of the United Nations High Commissioner for Human Rights, dispatched a second investigative mission to this area, but its work had to be cut short because of the deteriorating security conditions.

10. The humanitarian impact of the armed conflict for the 4.6 million inhabitants of Ituri has been catastrophic. According to the Office for the Coordination of Humanitarian Affairs, between 500,000 and 600,000 internally displaced persons — many of whom remain in hiding and cannot be accounted for — in addition to nearly 100,000 refugees from Uganda and the Sudan, are dispersed throughout the area. Since the first major onslaught of violence in June 1999, the death toll has been estimated at more than 60,000, and countless others have been left maimed or severely mutilated. Of the estimated 400 health centres, 212 have been closed, and not a single surgeon is present. It is estimated that 200 schools have been destroyed. Moreover, the prevailing atmosphere of insecurity has obstructed the humanitarian community's access to sizeable areas of the region, effectively denying the provision of aid to the most vulnerable populations.

11. On 6 March, Ugandan forces (UPDF) recaptured the town of Bunia, which had been under the control of UPC since August 2002. Subsequently, the UPDF presence in Ituri was significantly reinforced, and brought to the level of over 7,000 troops. The Ugandan troops were deployed to all strategic locations in the region. Their deployment did not stem the activities of armed militias, however. It should be recalled that the root causes of the Ituri conflict, which relate to a power struggle indigenous to the area over land and resources, have recently been exacerbated by the protagonists of the wider conflict in the Democratic Republic of the Congo. As a result of the proliferation of armed groups and their constantly shifting allegiances, the situation in the region has become extremely volatile and unpredictable.

12. In view of rising tensions between Rwanda and Uganda over the increased presence of the latter's forces in the region, my Special Representative proposed a trilateral meeting of the heads of State of the Democratic Republic of the Congo, Rwanda and Uganda. The President of South Africa, Thabo Mbeki, hosted such a summit on 9 April in Cape Town, South Africa, at which the Presidents confirmed the timetable for Ugandan withdrawal from Ituri, beginning on 24 April and ending on 14 May. This was followed up by a meeting of President Paul Kagame and President Yoweri Museveni, hosted by the United Kingdom Government on 8 May.

13. In an effort to broker a ceasefire on the ground, and establish a local political process by which the conflict could be addressed peacefully, MONUC also intensified its consultations with key players early in March. This led to the signing on 18 March, of a ceasefire agreement by the Governments of the Democratic Republic of the Congo and Uganda and six armed groups (except for UPC, which had lost virtually all of its territorial control), which paved the way for convening the much-awaited Ituri Pacification Commission. The Ituri Pacification Commission, comprising 177 delegates representing the main communities and groups in Ituri, including some representatives of UPC, met at Bunia from 4 to 14 April under the leadership of MONUC. At the final plenary meeting, which was attended by several Ambassadors of members of the Security Council, the delegates agreed to set up an interim administration, consisting of a 32-member Special Assembly, an 18-member Executive Organ, and three subcommissions — on security and the consolidation of the cessation of hostilities, the re-establishment of public services and the rule of law, and humanitarian assistance and rehabilitation. These bodies commenced their work on 25 April. It has been determined that the interim administration requires some $300,000 for the initial three months of operation. The necessary funding has yet to be received, however. It is therefore essential that adequate resources be provided to the administration as soon as possible. MONUC continues to provide support to the Ituri Pacification Commission by whatever means possible. The UPC leader also recently voiced his support for the Commission, which was broadcast on Radio Okapi.

14. In order to provide security for an enhanced MONUC presence in Bunia aimed at assisting the political process initiated by the Ituri Pacification Commission, MONUC began deploying an Uruguayan guard contingent and its supporting elements to Bunia on 23 April. To date, 720 troops have been deployed, of the approximately 800 troops envisaged by the end of May. The tasks of the Uruguayan guard contingent are limited, and include a presence at the Bunia airfield and protection of United Nations personnel and facilities, as well as sites of meetings of the Ituri Pacification Commission in Bunia. MONUC also increased the number and strength of military observer teams in Ituri, which were deployed to Aru, Mahagi, Mongwalu, Kasenyi, Kpandroma and Komanda, in addition to Bunia and Mambasa, where MONUC had already established its presence. On 26 April at Komanda, however, one military observer was killed and another wounded in a landmine accident on a road that had previously been used by MONUC patrols. The team site at Komanda has been evacuated for the time being because of the high volatility of the situation and mine threats, but it will be reoccupied as soon as practicably possible. Moreover, owing to the security threats received, teams at Mahagi, Mongwalu, Kasenyi and Kpandroma are also being evacuated. They will be reinstalled as soon as security conditions permit.

15. On 25 April, UPDF began withdrawing troops from Ituri. To date, MONUC has observed the withdrawal of some 2,000 soldiers. Various supplies and equipment were apparently left behind, however. UPDF completed their withdrawal from Bunia on 6 May and plan to complete full withdrawal from Ituri by 19 May.

16. Immediately after the departure of UPDF from Bunia, Hema- and Lendu-based militia groups sought to establish control over the town, resulting in violent clashes, often near United Nations premises. The clashes were accompanied by widespread looting, including of the premises of the Office for the Coordination of Humanitarian Affairs. On 9 May, MONUC headquarters itself became a target of

attack and its guards were forced to return fire to repel the aggressors. Such fighting has panicked the population, several thousands of whom have sought refuge at the United Nations facilities and at the airfield. On 25 April, the Government of the Democratic Republic of the Congo started to deploy elements of its national police, including rapid intervention police, to Bunia. Concerns quickly emerged about their lack of equipment, particularly vehicles, communications and resupply, unclear command arrangements, precise role and relationship with the Ituri interim administration. Nonetheless, MONUC conducted some joint patrols with the rapid intervention police. When the violent clashes began, however, the 700-member police force disintegrated as a unit.

17. On 7 May, my Special Representative met with President Kabila, who agreed to take measures to enhance the leadership of the rapid intervention police and to provide it with sufficient equipment. President Kabila agreed to work closely with the local administration and accepted the responsibility for cantoning armed groups and feeding them for a limited period. At a later meeting with my Special Representative, on 10 May, President Kabila indicated his intention of deploying FAC troops to Bunia to respond to the "emergency situation". Preliminary reactions from MLC and RCD-Goma indicated that they would support such a move if their own police and armed forces were integrated into the force, while the local Hema groups in Bunia have voiced their opposition to the FAC deployment. MONUC has stressed to the Government of the Democratic Republic of the Congo the need for such a deployment to be effected in the context of the transitional process, and in close coordination with all concerned.

North Kivu and South Kivu

18. Since my last report, RCD-Goma has continued to redeploy nearly all its military force (11 out of 12 brigades) away from positions on the disengagement line in order to conduct concurrent offensives in the Kivus and Maniema Province. The main areas of conflict are:

- To the west and north of Goma, where RCD-Goma forces have attacked northwards into the territory of RCD-Kisangani/Mouvement de libération (RCD-K/ML), apparently to establish control over the whole of North Kivu.
- To the north-east of Kindu, in the area of Kalima, where RCD-Goma forces have been engaged with Mai-Mai and are advancing west towards Shabunda.
- To the west and south of Bukavu where, early in April, RCD-Goma eliminated its former Mai-Mai ally — the Mudundu 40 group — from Walungu.
- Around Uvira, where RCD-Goma forces have been engaged with a Banyamulenge militia led by Commandant Masunzu and Mai-Mai.

Fighting also broke out between the Mai-Mai and the RCD-Goma at Uvira in the evening of 2 May, during which eight RCD-Goma soldiers were wounded. Though fighting ceased by morning of 3 May, it erupted again on 5 May. While RCD-Goma has claimed that it was trying to recapture territory lost upon the withdrawal of Rwandan troops in the autumn of 2002, it has actually made advances well beyond its former positions by encroaching on the area controlled by RCD-K/ML.

19. Consequently, the humanitarian situation in the Kivus has continued to deteriorate. The latest RCD-Goma offensives have resulted in serious human rights

violations and have triggered new waves of population displacement, forcing tens of thousands of people to take refuge in the forest or nearby villages. The ongoing fighting has disrupted the humanitarian community's regular activities and rendered it difficult to deliver assistance to the war-affected populations trapped between opposing forces. After heavy fighting broke out in Bukavu on 6 April, some humanitarian agencies were compelled to evacuate their non-essential staff and suspend all activities. There have been widespread reports of rape, looting, armed robberies and arbitrary executions by RCD-Goma troops, Interahamwe, ex-FAR (Forces armées rwandaises), Mai-Mai and unidentified armed groups. To mobilize assistance to the most vulnerable groups, MONUC conducted joint humanitarian assessment missions with the Office for the Coordination of Humanitarian Affairs, facilitated the delivery of emergency aid, and negotiated with local authorities on issues of access in many instances.

Disarmament, demobilization, repatriation, resettlement and reintegration

20. These persistent outbreaks of fighting in the eastern Democratic Republic of the Congo have continued to hamper, disrupt and delay the operations of MONUC to disarm, demobilize and repatriate foreign ex-combatants, the main focus of the mission to date. MONUC has repatriated more than 1,500 Rwandans, including both former combatants and their dependants, since October 2002, while, since the beginning of the year, the Office of the United Nations High Commissioner for Refugees (UNHCR) has repatriated 3,021 Rwandan refugees. Experience indicates that the MONUC voluntary disarmament, demobilization, repatriation, resettlement and reintegration programme can be completed successfully only in conditions of reasonable security, and with the full cooperation of all parties concerned, including the armed groups themselves. RCD-Goma has not offered its full cooperation, often limiting the freedom of movement of MONUC personnel. The Mission's Mai-Mai interlocutors — who were thought to be useful as contacts with the Rwandan combatants in hiding — proved to be unreliable, often demanding monetary compensation for their cooperation.

21. Since the opening of the Lubero disarmament, demobilization, repatriation, resettlement and reintegration reception centre in December 2002, MONUC has conducted intensive discussions with representatives of the Rwandan combatants and their dependants in the vicinity. MONUC estimates there are some 3,000 to 4,000 combatants and several thousand more dependants around Lubero. Although the rank and file are thought to be ready to enter the disarmament, demobilization, repatriation, resettlement and reintegration programme, their hard-line leaders continue to express misgivings, and have shown deep suspicion both of MONUC and of the Government of Rwanda, often propagating their views in radio programmes transmitted from abroad. Consequently, the leadership effectively influenced the combatants not to take part in the programme. The Government of the Democratic Republic of the Congo, which made some progress towards dismantling the leadership of ex-FAR/Interahamwe in accordance with its bilateral agreement with Rwanda of 30 July 2002, has done little in this regard during the period under review.

22. Nonetheless, through sustained personal contacts and a targeted public information campaign, MONUC managed to persuade some representatives of the combatants to agree to enter the disarmament, demobilization, repatriation, resettlement and reintegration process. Attempts were also made to persuade those

States hosting some of the leaders of the movement to approach them with a view to ending negative radio propaganda concerning the activities of MONUC relating to the process. At the end of March, an initial group of some 200 to 300 combatants and their dependants was gathering near Kasuo, in the vicinity of Lubero, preparing to enter the reception centre. However, the group scattered into the forest when RCD-Goma forces attacked and seized the nearby villages of Muhanga and Bunyatenge. Although MONUC is continuing its efforts to contact the combatants' representatives, the situation in the region remains insecure, and it has not been possible to reassemble that group.

Reopening of the Congo River

23. Significant progress has been made in reopening the Congo River. Building on the achievements of MONUC since July 2002, when regular river traffic was established between Government and MLC areas, the first private commercial traffic allowed by RCD-Goma arrived in Kisangani in February 2003. The entry into force of the All-Inclusive Agreement and its provisions for full freedom of movement, together with the statement made in Kinshasa on 27 April by the Secretary-General of RCD-Goma on the lifting of remaining restrictions, offered new opportunities for a complete reopening of the river. Early in May, MONUC facilitated a visit to Kisangani and Goma by a 20-member senior commercial delegation from the Fédération des Enterprises du Congo in Kinshasa to meet their local counterparts and the RCD-Goma leadership. As a result of the mission, the RCD-Goma authorities confirmed that they would accept commercial convoys to Kisangani immediately. Until the Transitional Government is officially installed in Kinshasa, the existing procedures for river transport will remain in place. A large commercial convoy to Kisangani is expected to depart in 10 days. It was also agreed that a business delegation to Kinshasa from key towns in the east (Kisangani, Goma and Bukavu) would be organized in the coming weeks.

Adjustment of the deployment of the Mission

24. MONUC has reviewed its deployment strategy with a view to a comprehensive readjustment of its structure, as appropriate, from that based on the Lusaka Agreement to one that meets the needs of the changing political and military situation. Two of the four MONUC coordination centres (Ilebo, Basankusu) are no longer in operation and the guard units assigned to them have been reallocated to other duties, including security arrangements in Kinshasa. The two remaining coordination centres, Boende and Manono, will be closed in the next few months, releasing the guards deployed there for reallocation to other priority areas. In view of the All-Inclusive Agreement that has reunified the territory of the Democratic Republic of the Congo, MONUC is also redeploying some 12 military observer teams from defensive positions along the Kampala/Harare disengagement line to more volatile areas in the east of the country. Consequently, by 30 August, MONUC will have redeployed almost 100 military observers and more than 1,400 troops from phase II to phase III functions. It is also closing 22 team sites in the western part of the country.

III. Implementing the transitional agreements

25. During the two- to three-year transitional period, the Transitional Government will have to simultaneously address immediate challenges and long-term issues. First and foremost, it will have to put in place the transitional institutions and ensure their functioning. It will also have to lay the ground for the democratically elected government that will be established at the end of the transition by preparing for elections and drafting a new Constitution. At the same time, the Transitional Government will have to address security and military matters and respond to the population's expectation of economic improvement.

The responsibility of the Congolese parties

26. It is clear that the successful implementation of the various agreements reached in the course of the inter-Congolese dialogue depends directly on the political will of the Congolese parties. Years of protracted conflict have left a legacy of mistrust that has undermined international efforts to help the Congolese find lasting solutions to their problems. For the transition to succeed, the Congolese parties must, from the outset, provide strong signals of their intention to implement the agreements they have signed.

27. In the coming weeks and months, the parties must observe a number of key benchmarks to maintain momentum and demonstrate their commitment. These include:

- The immediate cessation of hostilities, including cessation of inflammatory rhetoric and propaganda
- The cessation of military support and supply to all armed groups
- The lifting of restrictions on the free movement of people and goods throughout the country
- The liberalization of political activity in the areas under their control
- The dismantling of armed groups or their transformation into political parties
- The steps to establish the high command of the national armed forces and to form the initial unit of the integrated police force.

28. At the same time, the neighbouring States have the important responsibility to play a positive and constructive role, and assist the Democratic Republic of the Congo in pursuing a path of peace and national reconciliation. They should respect the provisions of the All-Inclusive Agreement and the decision of the Congolese parties to establish a Transitional Government of national unity. Continuing interference in the internal affairs of the Democratic Republic of the Congo can no longer be tolerated. The legitimate security interests of neighbouring States should be taken up with the Transitional Government through peaceful means.

IV. The role of the United Nations and the Mission

29. Since the adoption of Security Council resolution 1468 (2003), by which the Council endorsed the preliminary vision of the role of MONUC during the transition, as outlined in my thirteenth report (S/2003/211), there have been

extensive consultations with the Congolese parties and international partners, including consultations undertaken by a special planning team of the Department of Peacekeeping Operations sent to the country. As a result, a broad outline has emerged of the role MONUC could play and the assistance it could provide for the transitional period. Subject to the concurrence of the Security Council, the Mission's currently mandated priorities would be readjusted, and would consist of the following elements: (a) to provide political support to the transition by assisting the Congolese parties in the implementation of their commitments, leading to the holding of elections, which will be one of the important elements in the Mission's exit strategy; (b) to contribute to local conflict resolution and the maintenance of security in key areas of the country; (c) to continue with its mandated task of the disarmament, demobilization, repatriation, resettlement and reintegration of foreign armed groups while contributing to the disarmament, demobilization and reintegration of Congolese combatants; (d) to serve as a catalyst for the coordination of international political and donor efforts concerning the core issues of the transition; and (e) to contribute to confidence-building between the Democratic Republic of the Congo and the neighbouring States. At the same time, ongoing MONUC activities in vital areas such as human rights, humanitarian affairs, child protection and gender affairs would continue.

A. Immediate priorities

30. In the coming weeks and months, the following immediate priorities require the attention of MONUC: helping the parties to establish the Transitional Government; contributing to the security arrangements in Kinshasa; assisting in sustaining the peace and reconciliation initiatives in Ituri; contributing to local-level conflict resolution; and continuing the disarmament, demobilization, repatriation, resettlement and reintegration of armed groups in the Kivus.

31. In order to assist in providing immediate support to the preparatory mechanisms of the transition, a Transition Support Unit has been created within MONUC from its existing resources to support my Special Representative in his capacity as convener of the International Committee. The Unit will also monitor the political process, liaise with the parties to the All-Inclusive Agreement and facilitate coordination with other national and international actors. As the transition proceeds, the capacity of MONUC will need to be strengthened accordingly, to include its possible presence and facilitation in important provincial capitals.

32. At the same time, in view of the additional responsibilities envisaged for MONUC, its leadership structure — both civilian and military — would need to be considerably strengthened. To this end, the position of second Deputy Special Representative has already been added, as have other important senior-level posts. The military leadership structure is still in need of enhancement, specifically the establishment of the forward mission headquarters in Kisangani to achieve the appropriate span of command and control; given the size of the country, the increased number of MONUC troops and the complexity of managing several politically sensitive and risky military operations require that the Force Commander and Deputy Force Commander positions be upgraded, and that a Forward Force Commander post be created.

Security arrangements in Kinshasa

33. In the All-Inclusive Agreement, the Congolese parties requested the assistance of the international community in establishing a credible, confidence-building, security system in the initial stages of the formation of the Transitional Government, as some leaders of the transition do not feel confident that the existing structures can provide sufficient security. In particular, under the Agreement, the parties requested the assistance of the international community in providing a "neutral force" for the purpose of general security, while the parties would also provide their own bodyguards.

34. Given that the Congolese themselves are ultimately responsible for the security of the leaders and the institutions, the role of the international community should be limited to assisting them in crafting an effective and immediate means of dealing with the security concerns. With regard to the parties' request for the deployment of a "neutral force", it is considered that any international assistance provided by military units or police should come under the command of MONUC to avoid the presence of two separate peacekeeping missions operating in the same theatre under separate chains of command.

35. With these considerations in mind, and on the basis of the threat assessment conducted by MONUC and other international specialists, the following multi-layered confidence-building security system is being proposed:

(a) The existing Congolese police structures (national police, including rapid intervention police, traffic police and territorial police units), which would continue to carry out normal law and order functions in the city;

(b) The close protection corps, comprising personal bodyguards (who operate under the control of an integrated central command) for a limited number of political leaders, which would be reinforced by a newly formed integrated police unit;

(c) A MONUC military contingent consisting of some 740 personnel.

The activities of the proposed security system should be coordinated through a Joint Security Operations Centre, comprising senior-level representatives from all the entities that would be discharging security tasks. Any elements of the Congolese Armed Forces currently deployed in Kinshasa would be garrisoned, in accordance with the agreement reached at the meetings of the Chiefs of Staff in Pretoria in March 2003, and monitored by the military observers of MONUC.

36. It is crucial that the training of a newly formed integrated police unit of a future Congolese integrated police force is pursued at the same time, having in mind the need to make the unit operational within six months after the establishment of the Transitional Government. At that time, the unit is expected to be ready to take over the relevant security tasks from MONUC.

37. Before the formation of the Transitional Government, MONUC intends to use its guard company already present in Kinshasa and to redeploy, from elsewhere in the country, two guard units to the capital. These troops will be assisted by some 30 military police personnel, who will serve as an additional layer of confidence in a specially designated security zone in the capital. The security zone will be limited to the Ndjili airport, specified routes between the airport and the Gombe district, the city centre and the Gombe district itself. MONUC guard units would reassure the

parties with a visible presence in the security zone, both static positions and mobile patrols and armed escorts. MONUC will also have a limited capability to extract threatened persons from the zone. The United Nations activities in this regard will be facilitated by MONUC civilian police officers, who will provide liaison and technical advice to their Congolese interlocutors. In addition, MONUC civilian police officers will advise, monitor and report on the conduct of the various Congolese entities discharging security responsibilities. Such an arrangement is based on the present security assessment and the expectation that the requirement will last for six to nine months. While MONUC would be able to fulfil the requirement for military resources for these tasks by redeploying elements within its currently authorized strength, in the event that the threat level rises considerably or persists longer than envisaged, there will be a requirement to augment the United Nations presence by adding extra guard units and/or, possibly, formed police units.

38. To carry out the new tasks in support of security arrangements in Kinshasa described in paragraphs 35 to 37 above, MONUC would require the following civilian police personnel: 15 civilian police officers, including experts in administration, planning, strategic management and coordination; 55 personnel to serve as liaison officers, 24 hours a day, 7 days a week, to the Joint Security Operations Centre, Congolese police elements and close protection arrangements; and 34 officers to serve as security technical advisers to various Congolese police and security entities as well as the MONUC military contingent charged with security tasks in Kinshasa.

39. The modalities, mechanisms and funding for the creation and initiation of the integrated police unit must be set up without delay. The Government of the Democratic Republic of the Congo and other parties, and eventually the Transitional Government, are expected to provide offices for the Joint Security Operations Centre as well as salaries, accommodation and equipment for the close protection corps and the integrated police unit. The regular payment of salaries will be an essential prerequisite for the entire security structure, which the Congolese parties must address rapidly and as a matter of priority. At the same time, some bilateral donors have shown commendable interest and are assessing the possibility of training police personnel, providing a communications system in Kinshasa for the new security structure and rehabilitating the training centres for the integrated police unit.

Training of an integrated police unit

40. To quickly form and train the integrated police unit, the best option would be a project to be undertaken by one or more bilateral donors, directly with the Congolese, that would train and equip 1,200 officers for the unit within a period of six months, refurbish the necessary training facilities and provide the communications system to allow the unit to function within the overall Kinshasa security mechanisms. The MONUC civilian police component, together with other United Nations entities, could complement such efforts by providing training assistance on international policing standards in various thematic areas, with a special emphasis on the rule of law and fundamental rights. This option would require six additional MONUC civilian police trainers/coordinators.

41. Should this option be unavailable within the required time limit, a second option would be a combination of direct bilateral assistance to train and equip a

group of 600 integrated police unit officers in Kinshasa, while MONUC would support the training in Kisangani of another group of 600 officers, in a mentoring programme involving Congolese trainers. This mixed training option would require 24 civilian police trainers/mentors. If neither of these options is quickly available, the MONUC civilian police component would undertake the responsibility of training the 1,200 integrated police unit officers, in Kinshasa and in Kisangani, in a mentoring programme involving Congolese trainers. Forty-eight civilian police trainers/mentors would be required for this option. Refurbishment of the training centres, training equipment, further basic operational equipment and communications would be required in all options. The views of bilateral donors are urgently requested to determine the most viable option.

Reconfiguration of the civilian police component

42. In view of the new phase of the peace process in the Democratic Republic of the Congo, the MONUC civilian police component is being reconfigured. The current pilot training programme in Kisangani will be suspended, in anticipation of the formation of a future integrated police force. Instead, the focus of the civilian police component will be as follows: (a) assisting in the security arrangements in Kinshasa; (b) contributing to the training of an integrated police unit; and (c) continuing the assessment and planning of its future role in key strategic areas, such as Ituri and some locations in the Kivus. The following structure is envisaged: headquarters staff, including the newly created Kinshasa sector (35), civilian police advisers/liaison officers/monitors to assist the security arrangements in Kinshasa as noted in paragraph 38 above (89); and regional planners/liaison officers to be deployed to Bunia, Goma and Gbadolite (10). Hence, 134 police officers would be needed, 34 more than the currently authorized strength, to meet the basic requirements. From 6 to 48 additional officers will also be required, depending on the training option for the unit to be followed (see paras. 40 and 41 above).

Peace initiative in Ituri

43. Ituri has become one of the most volatile and lawless areas in the Democratic Republic of the Congo (see paras. 9-17 above). At this time of hope for comprehensive peace, Ituri continues to have the potential to derail progress made at the national level. It should be noted that the prevailing volatility and ongoing manipulation by various players, and the security risks from well armed, but unpaid, rival militias and from other elements are considerable.

44. The Ituri Pacification Commission process, which was facilitated by MONUC, offers a real chance of comprehensive peace and reconciliation in the area, which must be followed up vigorously. The immediate challenge is to create the conditions of security and confidence for members of the Commission and international personnel present in the region to assist this fledging and still fragile process. While the integration of Ituri within national government structures is the ultimate goal, achieving this will require sustained and determined international and national engagement.

45. To that end, and as security conditions permit, the overall MONUC presence in Ituri would be considerably enhanced by the establishment of the Ituri Pacification Commission Support Unit, which would be staffed by a United Nations multi-disciplinary team and provide comprehensive support to the Ituri interim

administration. All MONUC substantive components (political affairs, human rights, humanitarian affairs, child protection, public information and others) will be represented in the Unit. In view of the need to assist the people of Ituri in setting up temporary local administration — in anticipation of the extension of the authority of the Transitional Government — United Nations civilian affairs officers would also be deployed.

46. MONUC could also establish a small civilian police cell to begin planning assistance, which could be provided by the international community either through MONUC or bilaterally, in the formation of an integrated police element to be introduced to Ituri. A strong human rights presence would also be essential to ensure investigation of violations, to monitor and support the new human rights bodies and to help the judiciary fight the culture of impunity. Military observer teams would also be strengthened and deployed to monitor the withdrawal of UPDF troops, liaise with armed groups and observe their activities, and monitor key population centres and designated airstrips, where possible. That effort would be reinforced by the Mission's proactive public information programme, including the establishment of a radio studio in Bunia, as well as conflict resolution projects using media tools. In view of the massive proliferation of arms in the area, MONUC, in cooperation with the subcommittee on armed groups of the Ituri Pacification Commission, may assist the interim administration in developing a limited local disarmament initiative, for which donor support will be required.

47. MONUC would also work closely with the humanitarian and development community, which is designing a strategy for this long-inaccessible region. Immediate needs include the delivery of emergency humanitarian relief to areas affected by insecurity and fighting; assistance in housing repair in areas devastated by the war; restoration of health and medical services and social support in areas affected by recent massacres; income-generating activities such as road and infrastructure repair to be conducted by the estimated 25,000 militia members and other ex-combatants; assistance for the demobilization and reintegration of child soldiers; and quick-impact projects in areas where United Nations personnel would be deployed.

48. In order to provide protection to United Nations personnel and assets in various locations in Ituri and to establish a framework of security in support of the ongoing political process, it is assessed that, at a minimum, a brigade-size formation consisting of three infantry battalions with appropriate support (logistics, utility helicopters, engineering) and totalling up to 3,800 personnel would be necessary. Even a force of that strength would not be able to provide comprehensive security throughout Ituri or secure all major roads or the border with Uganda. In addition to protecting United Nations personnel and assets and other vital installations in Bunia, the brigade force will secure a United Nations logistical base at Bunia airfield and the immediate environs of the town, support the United Nations military observer teams in accessing the more remote areas, and provide limited support to humanitarian operations in selected locations. By extending its operations beyond Bunia, initially along an axis towards Djugu and Mahagi, the brigade force would expand its security framework and, as the situation further permits, gradually reach airfields, towns and other areas in Ituri.

49. The present deployment to Bunia of the Mission's reserve battalion (supplied by Uruguay) is a limited, interim and emergency measure to ensure that the

momentum of the Ituri Pacification Commission peace process can be maintained in the rapidly changing security situation in the area. The battalion will not be able to extend its presence outside Bunia to other areas of Ituri. By the end of May, the total strength of the Uruguayan contingent in Bunia will be close to 800, including the logistic support elements and engineers. This force will clearly be well below the minimum required to assume full security tasks in the town, and its deployment can only be temporary, as it comes at the expense of sacrificing the fundamental principle of maintaining a Mission reserve battalion for contingencies. The Uruguayan contingent will be needed to reconstitute that reserve as soon as possible.

50. It should be noted that the Uruguayan deployment is the minimum that is militarily acceptable to establish security for United Nations operations at the Bunia airfield, protect United Nations personnel and resources at locations in Bunia, support the Ituri Pacification Commission process and make necessary preparations for the follow-on deployments, as well as logistic sustainment. Of the nearly 800 Uruguayans, just under 450 are infantry troops whose primary roles are to provide a company reserve force to respond to contingencies in Bunia, 24 hours a day, to provide point security at up to eight United Nations and Commission locations in the town (including the airport entrance and sector headquarters), to guard military engineers (who are charged with making necessary road repairs, demining and building accommodations), to escort military observer teams in the vicinity of Bunia, to occasionally patrol Bunia itself and, as may be required, to provide a local escort for United Nations and humanitarian convoys within the town.

51. To provide anything beyond the current deployment in Bunia, and particularly to address the problems in Ituri more widely, the minimum requirement will be a brigade-size formation (Ituri Brigade Force). The Department of Peacekeeping Operations is examining how such a force could be structured and identifying potential contributors of the forces that could be assembled quickly to form the proposed force. The most immediately available element is the 1,700 strong multi-functional battalion group initially envisaged for Kisangani, which includes one infantry battalion, supported by transport helicopters, engineers, airfield service units, military police and an air medical evacuation team. Attack helicopter assets to be deployed to support phase III MONUC operations would support the Ituri Brigade Force as the main priority. Potential troop contributors for the initial elements of the Force have already indicated preliminary concurrence with such a deployment, and a reconnaissance mission was undertaken during the first two weeks of May. The Department of Peacekeeping Operations is also in touch with the potential troop contributors regarding offers for the two additional infantry battalions required to complete the force. These additional battalions (approximately 1,050 personnel each) will provide MONUC with the operational reach and responsiveness that it needs to be successful in this remote and extremely volatile region.

52. Once deployed, the battalion group must gradually assume the Bunia security tasks currently performed by the Uruguayan contingent, which will eventually be relieved and return to its normal duties. Even with a slightly enhanced ability to provide security in the town, the capacity of MONUC to support monitoring operations or respond to violence in the remote areas would remain very limited. Only once the security situation in Bunia improves can MONUC begin to extend its operations, primarily in the vicinity of Bunia. Only when the full Ituri Brigade Force

is formed will MONUC have the ability to gradually expand its operations to include a more comprehensive range of security framework tasks in Ituri.

53. The current lack of a sufficiently credible MONUC force in Ituri would likely result in MONUC operations being confined to Bunia, and an increased level of risk and the probability that the United Nations military presence would be exposed to provocations. Inevitably, this raises the prospect that such a force may not be sufficient to fulfil its limited objectives. This is a risk that will be present, in any case, until such time as the brigade force is deployed and operationally effective, but it is a risk that can be reduced considerably if all parties are aware that the initial deployments are part of a realistic longer-term approach.

54. The duration of the limited military deployment of MONUC in Bunia and of the larger military force proposed in paragraphs 48 to 53 will depend on how quickly and successfully the political process in the area can achieve normalization and reconciliation. It is hoped that a Congolese integrated police unit, once formed, could gradually take over security responsibilities from the MONUC brigade force. In view of the extremely volatile environment in the region, MONUC, together with the United Nations Security Coordinator, has developed an evacuation plan which covers both MONUC and United Nations agencies personnel. Non-governmental organizations that have concluded memoranda of understanding with the Office of the Security Coordinator would be included in the evacuation plan.

The Kivus and disarmament, demobilization, repatriation, resettlement and reintegration

55. Even in the face of numerous and competing priorities in the Democratic Republic of the Congo, the importance of the Kivus cannot be overlooked. Two recent wars in the country began there, and the region remains a pivotal ingredient of the overall peace process. The Kivus border three key eastern neighbours of the Democratic Republic of the Congo, Uganda, Rwanda and Burundi. The conflicts that have afflicted these neighbouring countries have had a direct impact on security in border communities in the Kivus, be it as a result of refugee movements or the cross-border activities of rebel groups fighting the Governments of their countries of origin. The region has also grappled with issues of ethnicity, inequitable land allocation and fighting over the control of natural resources. In this context, MONUC intends to pursue a two-pronged approach: (a) continuing the disarmament, demobilization, repatriation, resettlement and reintegration of foreign armed groups operating out of North Korea and South Kivu and (b) promoting local peace and reconciliation mechanisms.

Disarmament, demobilization, repatriation, resettlement and reintegration

56. As indicated above, MONUC activities related to disarmament, demobilization, repatriation, resettlement and reintegration have recently been obstructed by the operations of armed groups in the east. This notwithstanding, the reception centre at Lubero, the transit points at Goma and Bukavu and a number of austere temporary assembly areas will be maintained by the United Nations in anticipation of the resumption of large-scale disarmament, demobilization, repatriation, resettlement and reintegration in those areas, as circumstances permit. At the same time, MONUC experience so far with this process has permitted a further refinement of methods, an improvement in information-gathering and

analysis techniques, enhanced collaboration with the Multi-Country Demobilization and Reintegration Programme, led by the World Bank, and with concerned specialized agencies and United Nations entities, such as UNICEF. For its part, UNHCR will also continue to promote returns of Rwandan refugees to their country by taking a more proactive approach to reaching pockets of Rwandan refugees countrywide.

57. With the deployment of the first United Nations task force to the Kivus (the main base being in Kindu), MONUC would be able to establish a United Nations presence in vital locations — including those hitherto inaccessible to MONUC military observers — and provide necessary support to disarmament, demobilization, repatriation, resettlement and reintegration. The robust and mobile nature of the task force — which will be equipped with armoured personnel carriers and helicopters — will permit the simultaneous deployment of MONUC disarmament, demobilization, repatriation, resettlement and reintegration teams to some of the remote groups in the region. The mobility capabilities will also bring a quick response capacity that has been lacking to date. This outreach approach will be a joint effort of the various MONUC components, including vital military support. Most importantly, it is hoped that this credible United Nations presence will give the groups an increased level of confidence in the disarmament, demobilization, repatriation, resettlement and reintegration programme by offering protection from harassment, as well as speedy movement to the resettlement camps across the border.

Local peace and reconciliation mechanisms

58. While the establishment of the Transitional Government and the full implementation of the All-Inclusive Agreement should eventually bring unification and peace to the Democratic Republic of the Congo, it is likely that localized conflicts, particularly in the Kivus, will continue in the foreseeable future. Moreover, a transitional period may be rather tumultuous and could generate conflicts which, if uncontained, could destabilize the whole national process and could even provide a pretext for external intervention. It is therefore necessary for the international community to assist the Congolese people at the local level in developing interim mechanisms for peace and reconciliation.

59. The situation in the east is currently characterized by a patchwork of primarily local armed groups competing with each other and suspicious of one another's motives. The disintegrated governance structures, ethnic heterogeneity, economic mismanagement and illegal exploitation of natural resources, tensions between different generations of migrants and refugees, land disputes and proliferation of weapons contribute to the instability in the region. There is a clear need to address the root causes and trigger factors of existing conflicts, and to contain new ones. The international community can play a vital supporting role in creating peaceful solutions to local conflicts. To this end, MONUC has already produced policy guidelines for its personnel based on the following approach: (a) crisis management to address acute security concerns between different groups; (b) post-conflict measures aimed at building confidence; and (c) conflict prevention initiatives to avoid the recurrence of violence.

60. In pursuing that approach, MONUC would attempt to serve as a catalyst for international support and assist the initiatives undertaken by local religious

institutions, Congolese grass-roots organizations or international non-governmental organizations with a proven track record. MONUC intends to pursue these activities in the context of the transitional institutions that are being established under the All-Inclusive Agreement, in particular those aimed at promoting reconciliation. The Mission would work closely with the national transitional authorities and with its United Nations partners, especially UNDP, which is developing a strategy for rehabilitation, reconstruction and recovery at the community level. In order to play such a facilitating and mediating role, MONUC will enhance its civilian presence in the Kivus.

61. Finally, mechanisms aimed at normalizing cross-border relations should be developed. While this is among the priorities to be addressed by the Transitional Government and with the neighbouring countries, preliminary initiatives could begin on a pilot basis. Joint economic initiatives and cross-border community projects could be considered, for example. When the new national armed forces are formed, joint patrols — monitored by MONUC — could be undertaken with the armed forces of the neighbouring countries in specified zones along the borders. In due course, the Security Council will be provided with additional recommendations about the expanded role of MONUC in the Kivus. These border issues should also take centre stage in the envisaged international conference on peace and development in the Great Lakes region.

Human rights and transitional justice in the Democratic Republic of the Congo

62. It remains clear that without strong national human rights protection structures in place and an end to the widespread reign of impunity in the Democratic Republic of the Congo, there cannot be any real reconciliation or the building of the foundation of long-term, sustainable peace. MONUC, working closely with the Office of the United Nations High Commissioner for Human Rights, intends to strengthen its capacity to support the building up of national human rights infrastructures as well as the setting up of transitional justice arrangements. The added focus on human rights investigations will be accompanied by close attention to strengthening — and coordinating the international effort concerning — the ability of national institutions, including the National Truth and Reconciliation Commission and the National Observatory for Human Rights (the creation of which is envisaged under the terms of the All-Inclusive Agreement), to adequately address the concerns of the Congolese people. In this context, it would be important to ensure that attention is paid to child protection issues.

Facilitating humanitarian assistance

63. It is also vital to continue and indeed expand the delivery of humanitarian assistance. More than 3.5 million people are estimated to have died since 1998 directly or indirectly as a result of the conflict. Despite the need to plan for future recovery and development opportunities, there are still enormous unmet needs that require immediate life-saving assistance. The main obstacle to this assistance has been the lack of access to populations in need and the insecurity created by the acts of the parties to the conflict.

64. The humanitarian objectives of MONUC will continue to focus on facilitating and ensuring access to vulnerable populations for the delivery of much-needed assistance, in close coordination with the Office for the Coordination of

Humanitarian Affairs, United Nations agencies and non-governmental organizations. It will do this in three ways: (a) it will initiate and participate in joint humanitarian assessment missions with the intention of facilitating access to previously inaccessible areas and facilitating the delivery of target assistance where it is most needed; (b) it will systematically engage with belligerents to negotiate a safe and secure access for humanitarian workers, as has been the case in North Kivu where a forum for dialogue with a local Mai-Mai alliance is under way; and (c) it will actively engage non-governmental organization partners in linking demining efforts with planned humanitarian activities, especially in areas where the presence of mines has hindered humanitarian activity.

Responding to mine threats

65. The serious mine incident reported in paragraph 14, the second such incident since the inception of MONUC, illustrates the requirement for MONUC to maintain a capacity to provide mine risk education to Mission personnel and the communities in which they work, in collaboration with UNICEF and other local partners. The Mission also requires the capability to collect, analyse and disseminate information about mine and unexploded ordnance contamination, and to respond with a clearance capability when required. The Mission will also advocate that all parties stop the use of landmines and provide information on mined areas.

66. The Mine Action Coordination Centre is an integral part of the Mission, and manages a database on contaminated areas for the benefit of the Mission and humanitarian organizations. The Centre's personnel provide expert advice to the Mission and other components of the United Nations system, coordinate the deployment of mine action operators and conduct threat assessment missions in support of MONUC. The Government of the Democratic Republic of the Congo, which recently acceded to the Convention on the Prohibition of Anti-personnel Mines, has requested the Centre to also coordinate the provision of external support for mine action programmes throughout the country. Consequently, it is proposed that the Centre be strengthened by the provision of three additional experts and resources for its operations. At the same time, the Mine Action Service of the Department of Peacekeeping Operations is actively seeking voluntary contributions from donors to develop an operational capability in support of humanitarian requirements. Such a capability could also be provided, in part and in direct support of MONUC, through the deployment of appropriately qualified units from troop-contributing countries.

B. Long-term priorities

67. Clearly, assisting the transition process in a country as large and as devastated as the Democratic Republic of the Congo will present a vast challenge to all concerned. It will require a comprehensive approach in which the United Nations system, the Bretton Woods institutions, and bilateral and multilateral donors plan and coordinate their activities to an almost unprecedented degree. The political arrangements underlying the transition process are complex, the country lacks a strong and efficient public administration, and many of the political actors have little direct experience in democratic practices. Basic mechanisms for the functioning of a modern State (such as a State-wide banking system) are often non-

existent. Consequently, support to the transitional process has to be extensive and imaginative.

68. As outlined in my last report, in addition to the immediate priorities identified in paragraphs 30 to 66 above, the United Nations — in cooperation with organizations of the United Nations system, Bretton Woods institutions and other international partners — will assist the Transitional Government in meeting longer-term goals with regard to elections, the establishment of the rule of law and security sector reform, in particular the disarmament and demobilization of Congolese groups. The transition period could also serve as a bridge between the ongoing humanitarian programmes and expanding development initiatives.

Support for elections

69. The holding of free, fair and transparent elections towards the end of the two-year transition period can become one of the key elements in the exit strategy of MONUC. Elections in the Democratic Republic of the Congo pose a monumental challenge. The country has never held democratic polls since gaining independence 43 years ago, and no legal framework for the electoral process currently exists. The conditions for organizing the referendum and presidential and legislative elections would therefore need to be specified in an electoral law adopted by the transitional parliament. In a country the size of the Democratic Republic of the Congo, with its relatively poor communication and logistical links, the elections will be very costly, and will require a major cooperative effort between the transitional authorities, the United Nations and bilateral donors.

70. Following preliminary discussions between the United Nations and international representatives in Kinshasa, it could be envisaged that MONUC could provide technical and logistics assistance to the Independent Electoral Commission and facilitate its work through coordination of international support to this end. The precise contribution of MONUC will however depend on the views of the Transitional Government when it is established. As soon as this occurs, a feasibility assessment mission will be dispatched. In the interim, MONUC will have to establish a small electoral cell to commence further planning and liaison.

Rule of law

71. The situation throughout the Democratic Republic of the Congo is characterized by a pervasive culture of impunity and extremely poor governance. The strengthening of the rule of law is one of the fundamental challenges to be overcome, to break the vicious circle of violence, eradicate impunity, combat the root causes of the conflict and lay the foundation of a democratic society. The responsibility and political will of the transitional authorities in the Democratic Republic of the Congo must be paramount in this regard. As I outlined initially in my thirteenth report to the Security Council (S/2003/211, para. 59), MONUC could assist in the sector of the rule of law by coordinating the overall international effort in the areas of civilian police, human rights, the judiciary and correctional facilities. To enable it to do so, and ensure the harmonization of initiatives, the close support and collaboration of bilateral donors and multilateral and other agencies will be required. My Special Representative intends to establish a multi-disciplinary task force on the rule of law to ensure internal and external coordination of effort. While emphasizing Congolese ownership in all steps of the transition, MONUC is well

placed to provide facilitation and coordination, technical and training advice and structures that could contribute to the establishment of a functional police and to respect for human rights, and to assist in the reform of the judiciary and correctional services.

72. To achieve such goals, a detailed assessment of the rule of law sector will be necessary. Towards this end, representatives of the Department of Peacekeeping Operations, MONUC, the Office of the United Nations High Commissioner for Human Rights and UNDP met for preliminary consultations, at Geneva on 6 May, with other United Nations and international actors in this field. Such consultations will be actively followed up, and will also include the Transitional Government of the Democratic Republic of the Congo, in particular, the Ministries of Justice, the Interior and Human Rights, once such a government is installed, as well as those bilateral donors interested in actively providing assistance in this vital sector. Subsequently, a multidisciplinary team will have to conduct a comprehensive assessment of this sector and recommend a framework in which each actor interested in providing assistance can be identified, taking into account the wishes of the new Government and the advice of various national players in the Democratic Republic of the Congo, including civil society.

73. At the United Nations country team level, a thematic group on human rights and justice has also commenced preparations for a comprehensive programme of support to the Transitional Government. The main areas of United Nations system assistance, in close collaboration with and in support of other actors, have been identified as: reform and strengthening of the legal framework and judicial system; reform, rehabilitation and development of an integrated national police service with particular emphasis on the rule of law and human rights issues; reform and strengthening of the correctional system; training the armed forces on the rule of law and human rights issues; support to the national human rights institutions; support to the establishment of the Truth and Reconciliation Commission; and introduction of measures to promote democratic and participatory governance. Measures to monitor, address and redress violations of human rights will need to be given top priority.

74. As regards the support that may be required for the creation of a national integrated police force, in addition to assisting the formation of the integrated police unit in Kinshasa, and possibly in Ituri, the objectives for the international community and MONUC would include contributing to improvements in professional competence, organizational capacity and institutional integrity; public awareness of the role of the police in a democratic society; and the cooperation between the police, the judiciary and the correctional system. These objectives can be achieved through advisory, training and development roles supported by the provision of some material and financial assistance for equipment and facilities including the possible rehabilitation of former training facilities, in five regional centres — Kinshasa, Lubumbashi, Kisangani, Gbadolite and Bukavu. While some Member States have already offered bilateral assistance in equipping and training the national police, a special multi-donor mission should be dispatched to further study this vital area of activities and provide recommendations to the international community.

75. International assistance in police training will however need to be linked to a number of benchmarks to be implemented by the Congolese authorities, including regular payment of adequate salaries, transparency in recruitment, promotion and

discipline, deployment of personnel based on the type of training received, development and implementation of internal accountability mechanisms, and a maintenance programme financed by the authorities for buildings refurbished by the international community. All efforts in support of the police must include concurrent efforts in support of the judiciary and the correctional services, and the necessary budgetary appropriations should be well coordinated with the Bretton Woods institutions.

Security sector reform/disarmament, demobilization and reintegration of Congolese combatants

76. A main objective during the transition period will be security sector reform. It will be vital for new national, integrated security institutions to be established in a transparent manner if they are to play a legitimate and democratically accountable role in providing security for all Congolese people. As indicated above, the creation of an integrated police force that will be responsible for internal security is an immediate priority. The earliest possible formation of the professional national armed forces is also essential. Some bilateral donors have indicated preliminary interest in a possible role in assisting the Transitional Government in these areas.

77. The establishment of a national army and the disarmament, demobilization and reintegration of combatants will be a vital aspect of any security sector reform. MONUC has explored with UNDP, the World Bank-led Multi-Country Demobilization and Reintegration Programme and United Nations agencies the possible follow-up to the proposal in my last report (S/2003/211, para. 60) that the expertise of MONUC in disarmament, demobilization, repatriation, resettlement and reintegration could be extended to the disarmament of Congolese combatants and the coordination of the activities of bilateral donors.

78. Any action MONUC would take in this respect, subject to the agreement of the Security Council, would support the process of creating unified national Congolese armed forces. MONUC activities in the disarmament, demobilization and reintegration of Congolese combatants could include (a) providing information on Congolese armed groups, using its already established database; (b) building on its already established contacts to sensitize non-signatory Congolese armed groups, as well as Mai-Mai, about disarmament, demobilization and reintegration; (c) assisting in the public information campaign; and (d) providing the necessary technical assistance to the national disarmament, demobilization and reintegration programme to be developed. Additional recommendations concerning a possible role for MONUC in the disarmament of Congolese combatants would be provided to the Security Council at a later stage.

79. In response to a formal request from President Kabila in September 2002, and following consultations within the United Nations country task force, UNDP was designated as the lead agency for the coordination of international efforts for the disarmament, demobilization and reintegration of the Congolese forces. This decision was endorsed by the Multi-Country Demobilization and Reintegration Programme in February 2003. UNDP has developed an interim strategy for the development of a national disarmament, demobilization and reintegration programme for the next three to six months, which was discussed during a recent meeting of the Multi-Country Programme in Paris in April. This interim strategy is based on four simultaneous approaches, namely, (a) a dialogue between the principal

political actors in the Democratic Republic of the Congo on the structure and management of a national disarmament, demobilization and reintegration programme which should have the active support of all components of the Transitional Government; (b) the planning of a large and logistically complex national disarmament, demobilization and reintegration programme; (c) the development of a rapid response mechanism to address these issues pending the full establishment of a national programme; and (d) current efforts led by UNICEF for the disarmament, demobilization and reintegration of child soldiers, as well as UNDP support for disabled ex-combatants, which will continue and be incorporated into a national programme.

Child protection and gender affairs

80. Many of the Mission's currently mandated tasks, in particular those that it has been unable to fulfil completely because of fighting and insecurity, will be even more relevant in the transition period. During this period, MONUC will monitor the integration of child protection issues into new or reformed institutions and legislation to ensure that needs are fully addressed. The disarmament, demobilization and reintegration of child soldiers is likely to increase tremendously once the national programme is implemented and conditions are favourable. The challenge remains enormous given the high numbers of child soldiers still on the front lines or in military camps throughout the country, and the precarious security conditions in some areas, which make reintegration difficult and the risks of re-recruitment high. MONUC will also continue to monitor violations of children's rights in order to evaluate the impact of the transition on children. The already robust involvement of the MONUC gender affairs component with civil society and political parties will also be instrumental in capacity-building to allow women leaders and women's organizations to play a greater role in the democratic process.

Towards a comprehensive approach to support the peace process

81. The work of MONUC, as outlined above, is designed to be carried out in the framework of its partnerships within the United Nations system and the wider international community. Even so, its work will be limited and the needs of the transition will be great. The immediate priorities are the rehabilitation of infrastructure and the provision of technical support for the efficient functioning of the new governmental structures. Even at this early phase, however, there is a need for a comprehensive package aimed at setting the stage for good governance and consisting of both short-term and long-term activities. With respect to infrastructure, the immediate need is for office space for the additional institutions and positions created. The Government has requested the help of UNDP, the World Bank and the European Union to mobilize the necessary resources for the rehabilitation of existing governmental buildings. An assessment of needs is under way, and once finalized will be presented to the donor community. The presentation should be made by the Follow-up Commission and could well be cast as the first phase of donor support for governance in the transition, which would culminate in support for the preparation and organization of the elections.

82. To complement the support in the rehabilitation of the existing infrastructure, other needs will be addressed, namely the need for training and provision of technical support for the efficient functioning of the new structures, taking into consideration the time limitation of their mandate. The role to be played by the

United Nations system should be catalytic. UNDP and other partners have started work on a public service reform programme and on an interim capacity-building strategy. The support of the United Nations system will be further extended to include the administrations in the provinces, with a view to promoting the unity of the national administration and laying the ground for the organization of the elections at the end of the transitional period.

83. In the medium term, the unification of the territory and complete freedom of movement is a priority for humanitarian and development actors. Insecurity is the major constraint at present; the wider deployment of MONUC in the eastern Democratic Republic of the Congo could help to alleviate the situation, although the onus clearly rests with the parties to cease all military activities. At the same time, enhanced mobility will require significant improvements to the country's transportation infrastructure, which is virtually non-existent. Discussions are already under way to join efforts with bilateral donors in the rehabilitation of roads and other transport links and facilities. In the meantime, the United Nations system and implementing parties will continue to rely on the Mission's transportation capabilities.

84. With regard to the effective management of natural resources, new legislative and regulatory frameworks have already been established with the assistance of the World Bank and the Food and Agriculture Organization of the United Nations. A process of validation of existing titles and concessions is foreseen as part of the transition process, pursuant to a decision to this effect of the Economic Working Group of the inter-Congolese dialogue. It would be important to start the process of validation quickly, as the current uncertainty over many titles and concessions will delay all productive investments in this important sector. At the same time, it is essential that the different parties start cooperating urgently on enforcement of legislation, to prevent a sudden burst of uncontrolled exploitation — especially of the forest — with potentially very negative environmental consequences. UNDP and the Global Environment Facility are involved in the environmental management of a number of sites throughout the country. The international community could provide valuable assistance, via the Congo Basin initiative, as well as by involving reputable non-governmental organizations in the monitoring of logging activities.

85. On the issue of longer-term reconstruction and rehabilitation, the Emergency Humanitarian, Social and Cultural Programme adopted during the inter-Congolese dialogue at Sun City provides a viable framework. The Congolese parties should develop a mechanism for strategy formulation and donor coordination, so as to maximize donor involvement and the speed of implementation. The key process in this context is that of the poverty reduction strategy paper, which was endorsed at Sun City. In addition, it is important to follow up on the decisions made at the meeting of the Consultative Group for the Democratic Republic of the Congo in Paris in December 2002. Those include the acceptance by the Government and all donors of the Emergency Multi-Sector Rehabilitation and Reconstruction Programme as the framework for financing public investment and reconstruction, and the decision that, as soon as feasible, a multi-donor effort would work to extend the framework to cover the entire country. It is essential that the extension of that Programme be harmonized with the important humanitarian programme coordinated by the United Nations system, so as to ensure a smooth transition from humanitarian assistance (especially in the east) to recovery and reconstruction and longer-term

development. In addition, it is important that the work be focused not only on physical reconstruction but also on governance and reconciliation.

86. A first step to achieving this could be the constitution of technical-level national working groups on a few issues which are universally viewed as urgent. Experience in other post-conflict situations shows that such technical-level cooperation can be an important element in confidence-building. To this end, coordination should be well established between the political and technical decision-making institutions — the Follow-up Commission and the International Committee on one side and the United Nations agencies and Bretton Woods institutions on another. MONUC, which is involved in the political process, could serve as a link. The success of the activities of the United Nations and Bretton Woods institutions would very much depend on the establishment of reliable coordination mechanisms (the above-mentioned technical-level national working groups) and the efficient use of existing ones (United Nations regional coordinator and country team, regional initiatives and others). Three initial topics could be disarmament, demobilization and reintegration, currency and HIV/AIDS. As a second step, a multi-donor mission in June could serve to render more visible the efforts of the international community to translate the transition into concrete results for the population. This could be followed by a high-level multi-donor mission late in the summer, which would lead to important resource mobilization at the next Consultative Group meeting in the autumn.

V. Financial and administrative aspects

87. The General Assembly, by its resolution 56/252 C of 27 June 2002, appropriated an amount of $581.9 million for the maintenance of MONUC for the period from 1 July 2002 to 30 June 2003. As at 30 April 2003, unpaid assessed contributions to the MONUC special account amounted to $108,752,465. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $1,375,914,354. Since its establishment in October 1999, the Trust Fund to support the peace process in the Democratic Republic of the Congo has received voluntary contributions amounting to $1,124,980, with expenditures authorized to date in the full amount.

88. So far, the Mission's logistics resources, including aviation, have been planned for disarmament, demobilization, repatriation, resettlement and reintegration operations, primarily in the areas of Kindu and Kisangani. Owing to the poor internal infrastructure throughout the country, the Mission continues to rely heavily on air assets and has requested the deployment of the second Mi-26 helicopter. A military airfield service unit has been identified for the deployment, and an ICAO airfield rehabilitation project is expected to be under way shortly, focusing on important airfields in the east. The deployment to Ituri and the sustainment of the force there will pose a considerable unforeseen logistical challenge. MONUC will have to develop a supportable logistics infrastructure to sustain a military and civilian force of up to 3,800 in Ituri. The main costs will arise from the requirement for additional medium and heavy transport aircraft, repairs to the Bunia airstrip and the rehabilitation of the surface transport infrastructure for long-term support. This will require considerable investment.

89. In view of the limited accessibility to the Ituri region, it is envisaged that logistics support will be provided using a combination of sea, road, rail and air transport through Uganda for the deployment of the forces and the sustainment of the MONUC military and civilian presence. Uganda has useable airports and a reasonably good road infrastructure leading to the border with the Democratic Republic of the Congo. The road network in the Democratic Republic of the Congo leading to Bunia is in poor condition and will require extensive rehabilitation. As this will take some time, resupply of the military contingents will primarily be conducted by air for the foreseeable future.

VI. Observations

90. After nearly five years of continuous fighting, the Democratic Republic of the Congo finds itself at an intersection of peace and war. The definitive and successful conclusion of the inter-Congolese dialogue is a crucial milestone that constitutes the commitment by the Congolese parties to finally pursue a path of peace and reconciliation. The Congolese leaders must fulfil their obligations to the Congolese people, who have been waiting too long for their suffering to end. I wish to congratulate the Congolese parties in taking this step and to thank Sir Ketumile Masire, the neutral facilitator, and my Special Envoy for the inter-Congolese dialogue, Moustapha Niasse, for their tireless and determined efforts to complete this process. I would also congratulate the African Union, in particular its current Chairman, President Thabo Mbeki of South Africa, for the extensive support and assistance rendered throughout the peace process in the Democratic Republic of the Congo.

91. This is also a milestone for the United Nations. Since August 1999, the primary role of MONUC has been to facilitate the implementation of the Lusaka Ceasefire Agreement and supplementary bilateral agreements that provided the framework for addressing the military dimension of the conflict. Despite slow and partial compliance by the parties, there have been major achievements, including the disengagement of foreign armed forces and their allies to defensive positions, the withdrawal of the majority of foreign troops from the Democratic Republic of the Congo and initial progress in the ad hoc disarmament, demobilization and repatriation of Rwandan armed groups. I wish to pay special tribute to the men and women of MONUC, especially my Special Representative, Amos Namanga Ngongi, and the Force Commander, General Mountaga Diallo, for their courageous and indispensable efforts in advancing the peace process.

92. The peace process has now moved beyond the Lusaka framework and begun a new chapter that, more than ever, will require the comprehensive engagement and assistance of the United Nations and the international community at large. The magnitude of the challenges should not be underestimated: the country is still divided, military hostilities continue in the east, the population is traumatized by years of conflict, the country is poverty stricken and State services and infrastructure are non-existent.

93. MONUC is well, if not uniquely, placed to play a central catalytic role in assisting the parties through the transition period. For this reason I believe that the main focus of MONUC should now shift to facilitating and assisting the transitional process, and that the Mission should be reconfigured and augmented accordingly.

The immediate priority is to assist in the establishment of the Transitional Government. In the All-Inclusive Agreement, and in a letter dated 4 May from President Kabila, the United Nations has been requested to deploy a force to participate in the proposed multi-layered confidence-building security system to give confidence to transitional leaders in Kinshasa, outlined in paragraphs 33 to 38 of this report. I recommend that the Council agree to these requests by approving the proposed involvement of MONUC.

94. With respect to the institutions of the transition, I welcome the initial positive steps such as the formation of the Follow-up Commission and the participation of all its members, and the establishment of the International Committee in Support of the Transition that is convened by my Special Representative. The new Transition Support Unit in MONUC has already been instrumental in facilitating the preparatory phase of the implementation of the All-Inclusive Agreement. I intend to supplement it by establishing a small electoral assistance cell to commence planning the possible United Nations role in support of elections.

95. Many other challenges, especially the brutal conflicts in Ituri and in the Kivus, stand on the path to the transition. The ongoing strife in Ituri is a humanitarian catastrophe that threatens to derail the overall peace process. Supporting the representative, interim administration that was established on 14 April by the Ituri Pacification Commission is the only viable strategy for achieving peace in this troubled area. Uganda's withdrawal from Ituri is welcome, but it and all other external actors must recognize their accountability for the actions of those armed groups they helped create and must cease to supply them or give them succour.

96. In the current situation of instability and violence, and in the context of the Ituri Pacification Commission and the All-Inclusive Agreement, there can be no justification for supplying weapons to any group. I therefore recommend that the possibility of imposing an arms embargo be considered in Ituri as well as in the Kivus, with an exemption for the equipment of members of the future integrated armed and police units.

97. MONUC, through its enhanced presence backed up by the deployment of a brigade-size force as described in paragraphs 45 to 54, has a vital role to play in support of the still fragile Ituri political process. I am extremely concerned about the Mission's current limited presence in Ituri, especially in view of the immense gap between its capabilities and the high expectations of the population. The international community has a collective responsibility to address the rapidly deteriorating security situation in Bunia. I appeal to the Security Council to urgently approve the deployment of a task force to Bunia, as well as the concept of operations for a MONUC brigade-size force as described in paragraphs 51 to 54 above.

98. At the same time, the deployment of such a force would not be possible before the end of July even under the best of circumstances, leaving a dangerous interim gap in this highly volatile area. I therefore call on the Security Council to urgently consider the rapid deployment to Bunia of a highly trained and well equipped force, under the lead of a Member State, to provide security at the airport as well as other vital installations in that town and protect the civilian population, as a temporary bridging arrangement before the possible deployment of a reinforced United Nations presence. Such a deployment — for a limited period of time — should be authorized by the Security Council under Chapter VII of the Charter of the United Nations.

Neighbouring States and any other actors concerned should refrain from interfering in the ongoing developments in Ituri.

99. The ongoing military offensives in the Kivus continue to cause widespread suffering and undermine disarmament, demobilization, repatriation, resettlement and reintegration activities, and entail the risk of the direct re-engagement of neighbouring States. I call on all those involved in the fighting — RCD-Goma, various Mai-Mai groups and other local militias — to cease hostilities immediately. Arms supplies and other military support to all groups should also cease without delay. But these measures alone would not be enough. MONUC has a role to play in encouraging and assisting local and international partners in conflict resolution efforts by expanding the presence of its civilian personnel and military observers in the Kivus. I call on donors to contribute to a special fund for local peacemaking to be used by my Special Representative. Resources provided to such a fund could be used as seed money to supplement MONUC quick-impact projects in support of local grass-roots initiatives.

100. The disarmament, demobilization, repatriation, resettlement and reintegration of foreign armed groups must remain an important goal of the international community, as that process lies at the heart of the Great Lakes conflict. There is growing recognition, however, that a successful disarmament, demobilization, repatriation, resettlement and reintegration programme is not the prerequisite to a lasting peace process, but its by-product. The work of the Third Party Verification Mechanism established pursuant to the agreement of 30 July 2002 between the Democratic Republic of the Congo and Rwanda, has been a useful instrument for accelerating the withdrawal of Rwandan troops and the disarmament, demobilization, repatriation, resettlement and reintegration of Rwandan armed groups. Having accomplished its overall mission, the Mechanism is expected to conclude its work shortly. The full deployment during this month of the first task force in the Kivus will put the current ad hoc disarmament, demobilization, repatriation, resettlement and reintegration activities of MONUC on a firmer footing. I call on all concerned to cooperate with MONUC so that it can carry out this important task. I also encourage the Transitional Government of Burundi, together with all armed groups, to establish a disarmament, demobilization and reintegration programme there, so that those Burundian armed groups identified by MONUC in the eastern Democratic Republic of the Congo may be repatriated to their country of origin within an established structure.

101. Equally important for the transition process in the Democratic Republic of the Congo is the disarmament, demobilization and reintegration of Congolese armed and irregular forces. Further to the suggestion I made in my last report, I propose to the Security Council that the mandate of MONUC be expanded to assist the Transitional Government, at its request, to plan the disarmament, demobilization and reintegration of Congolese combatants. This should be done in the context of the creation of unified national Congolese armed forces, and in close collaboration with the Multi-Country Demobilization and Reintegration Programme, bilateral donors and United Nations agencies. I shall revert to the Council in due course with any operational recommendations that may be necessary in this regard.

102. I am appalled by the egregious level of gross human rights violations that continue to be committed throughout the Democratic Republic of the Congo, some of which have been documented extensively by MONUC. I appeal to the transitional

Congolese leaders to make the protection of human rights one of the highest priorities of the new Transitional Government. MONUC and the Office of the United Nations High Commissioner for Human Rights will work closely with the transitional institutions in this regard.

103. The immediate priorities, especially those related to the security arrangements in Kinshasa and peace initiatives in Ituri, clearly require further resources for MONUC. Taking into account the major operational readjustments that have been undertaken, I recommend that the mandate of MONUC be extended for another year, until 30 June 2004, and that the authorized military strength of MONUC be increased to 10,800 all ranks. I also recommend that the number of civilian police personnel be increased from the current level of 100 to 134 police officers. It should be noted that 6 to 48 additional officers will also be required, depending on the training option for the integrated police unit to be followed (see paras. 41 and 42 above). Other specialized personnel to support the immediate priorities of MONUC (see sect. IV.A) will also have to be augmented. While the troop level will be kept under constant review, it should be noted that the current requirements are based on the present threat assessments and that, should the situation deteriorate, additional resources may be required. I shall revert to the Security Council with specific recommendations for longer-term objectives, which are described in paragraphs 67 to 86 of the report.

104. A United Nations peacekeeping operation relies on cooperation with other partners to consolidate a hard-won peace. I call on all concerned to coordinate their efforts to harmonize initiatives, aimed at maximizing results in the Democratic Republic of the Congo. I am pleased to note that the World Bank and other donors are already increasing their assistance to the country.

105. Despite the best will of the United Nations and its partners, the peace process cannot move forward without the demonstrated commitment of the Congolese leaders. There are a number of key benchmarks that the parties must observe in the coming weeks to maintain momentum and demonstrate their commitment. They include the immediate cessation of hostilities and of inflammatory rhetoric and propaganda; the lifting of restrictions on the free movement of goods and people throughout the country; the liberalization of political activity in the areas under their control; the disbandment of armed groups or their transformation into political parties; and taking steps to establish the high command of the integrated national armed forces and to form an initial unit of integrated police.

106. The illicit exploitation of natural resources has criminalized the conflict in some areas, making it all the more difficult to stop, as well as depriving the Congolese people of their heritage and livelihood. The Transitional Government must produce, in a transparent manner, a budget with provisions for key State services. To this end, the Government should be held accountable for the effective management of the natural resources of the Democratic Republic of the Congo and necessary assistance should be provided towards this end.

107. The challenge at hand is enormous. It is up to the Congolese themselves to keep the peace process vibrant, dynamic and successful. The international community, including MONUC, will follow their lead and provide the necessary assistance in translating the vision of peace into a reality.